

## January 2009 revision to 2005 document

### **STANDARD FORM 83-I REQUEST FOR OMB REVIEW – SUPPORTING STATEMENT OMB CONTROL NUMBER 1505-0080**

#### **A. JUSTIFICATION**

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Treasury Response: Treasury Bureaus and the Office of the Procurement Executive collect the information when necessary in administering public contracts for supplies and services. The information is used to determine compliance with contract terms placed in the contract as authorized by the Federal Property and Administrative Services Act (41 U.S.C. 251 *et seq.*) and the Federal Acquisition Regulation (FAR) (48 CFR Chapter 1). Excerpts of these references are attached. Note: the FAR is too voluminous to include all of the Parts that govern post-award procedures. The complete FAR can be viewed on the internet at <http://www.acquisition.gov/far/>.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Treasury Response: The information requested is used by the Government's contracting officer and other acquisition personnel, including technical and legal staffs, to determine technical and management progress and controls of the firms holding public contracts to determine if the firms are making appropriate progress in work agreed to and are otherwise performing in the Government's best interest. Payment of a firm's invoice (or non-payment) and/or corrective action may result from such reviews. If this information were not collected, the Government would be jeopardizing its operations by failing to keep aware of the work being performed under contract.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Treasury Response: Many sources of the requested information utilize automated word processing systems, databases, spreadsheets, and other commercial software to facilitate preparation of material to be submitted, particularly in the submission of periodic (e.g., monthly) progress reports that describe the status of work assigned. It is commonplace within many of Treasury's Bureaus for submissions to be electronic.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in item 2 above.

Treasury Response: Treasury Bureaus are encouraged to require only the minimum post-contract award information as may be essential to protecting the Government's interests.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

Treasury Response: Information collection may or may not involve small business contractors, depending on the particular transaction. The burden applied to small businesses is the minimum, consistent with the goals of performing efficient and effective post-award contract management.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Treasury Response: Less frequent incidence of collecting such information as a contractor's progress made or its controls over Government-furnished property would negatively affect the quality of products and services Treasury receives from contractors. For example, firms could complete lengthy studies without providing progress reports to the Government and deliver a report that has substantive weaknesses, which could have been identified and strengthened earlier. Also, note that contractor progress payments are contingent upon such reports, and in the absence of reports there would not be authority to make such payments. Defective and inadequate contractor deliverables and contractor failure to control Government-furnished property would adversely affect Treasury's mission requirements in all areas.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner

- requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data

- security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

Treasury Response: Special circumstances that would cause an information collection to be conducted include but are not limited to:

- Requiring respondents to report information to Treasury more often than quarterly. Examples follow:
    - Congressionally monitored contracts. There may be instances where congressional or other interests such as the Government Accountability Office require monthly or periodic updates on a program. These are rare; however, they occur.
    - Mission-critical acquisitions are other time-sensitive acquisitions (e.g., Architect and Engineering) require monthly or more frequent updates. There are numerous instances where quarterly reporting would be insufficient.
8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

Treasury Response: Treasury published a notice for public comment in the Federal Register on December 19, 2008 (vol 73, page 79543). No comments were received.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.
- Treasury Response: Not applicable. No payments or gifts are made to respondents, other than contract payments made in accordance with contract terms and conditions.
10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Treasury Response: During contract administration, disclosure/non-disclosure of information is handled in accordance with Federal Acquisition and agency regulations as well as the Freedom of Information Act.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

Treasury Response: Not applicable. Questions of a personal or private nature are not included in post award contract management reporting.

12. Provide estimates of the hour burden of the collection of information. The statement should

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in item 12 of OMB Form 83-I.
- Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.

Treasury Response: Estimated burden hours

Number of Respondents	7,163
Frequency of Response	Various, depending on contract type and contract requirements. Average burden estimate is 24 hours per contract.
Total Burden	171,912 Hours

This estimate is based on FY 2008 contract award information and on judgmental estimates of higher per-contract burden. Although use of electronic commerce and automated systems that reduce the burden to contractors continues, based on knowledge of the types of contracts awarded and associated post-contract award information required, the average burden estimate has been increased. .

13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

Treasury Response: Not applicable. Such costs could not be estimated, as the size and complexity of each contract award varies, requiring varying levels of technical, administrative, and program staffing in support of information collection.

14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate costs estimates from Items 12, 13, and 14 in a single table.

Treasury Response: Not applicable. Such costs could not be estimated, as the size and complexity of each agency acquisition is dependent upon the circumstances of the particular acquisition, the level of technical expertise involved, the grade levels of the acquisition team (depending on complexity), legal staff, etc.

15. Explain the reasons for any program changes or adjustments reported in items 13 or 14 of the OMB Form 83-I.

Treasury Response: There are no program changes at this time. Adjustment in Item 13 from 3,414 respondents to 7,163 respondents is due to the change in the number of contracts estimated to be awarded by Treasury based on FY 2008 data. The adjustment in the estimated burden for each contract from 14 hours to 24 hours is due to revisions in estimates of per-contract burden. The increase in per-contract burden is considered to be more realistic based on analysis of types of contracts awarded and the associated post-contract reporting requirements. The adjustment in the total annual hours required from 47,796 to 171,912 is due to the increase in the number of contract awards and the increase in the estimate of per-contract burden.

16. For collection of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Treasury Response: Not applicable. There is no planned publication of information for statistical use.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

Treasury Response: Treasury is seeking approval not to display the expiration date for OMB approval of the information collection, since most Bureau procurement offices have automated procurement systems that automatically print the number.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

Treasury Response: Not applicable. There are no exceptions to the certification statement.

## **B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

The collection does not employ statistical methods.